

designee, if the fund-raising program is multi-State or Nationwide.

(b) When used to promote 4-H educational programs, the 4-H Club name and emblem, subject to obtaining authorization as provided in these regulations, may be used on or associated with products and services sold in connection with 4-H fund-raising programs so long as no endorsement or the appearance of an endorsement of a commercial firm, product or service is either intended or effected. Tributes to 4-H contained on or associated with commercial products or services, when such products or services are used for the fund-raising activities, are subject to the requirements of this paragraph. All moneys received from 4-H fund-raising programs, except those necessary to pay reasonable expenses, must be expended to further the 4-H educational programs.

[52 FR 8432, Mar. 17, 1987, as amended at 60 FR 52293, Oct. 6, 1995]

PARTS 9–10 [RESERVED]

PART 11—NATIONAL APPEALS DIVISION

Subpart A—National Appeals Division Rules of Procedures

Sec.

- 11.1 Definitions.
- 11.2 General statement.
- 11.3 Applicability.
- 11.4 Inapplicability of other laws and regulations.
- 11.5 Informal review of adverse decisions.
- 11.6 Director review of agency determination of appealability and right of participants to Division hearing.
- 11.7 *Ex parte* communications.
- 11.8 Division hearings.
- 11.9 Director review of determinations of Hearings Officers.
- 11.10 Basis for determinations.
- 11.11 Reconsideration of Director determinations.
- 11.12 Effective date and implementation of final determinations of the Division.
- 11.13 Judicial review.
- 11.14 Filing of appeals and computation of time.
- 11.15 Participation of third parties and interested parties in Division proceedings.

Subpart B—Organization And Functions

- 11.20 General statement.

- 11.21 Organization.
- 11.22 Functions.

Subpart C—Availability of Information to the Public

- 11.30 General statement.
- 11.31 Public inspection and copying.
- 11.32 Initial request for records.
- 11.33 Appeals.

APPENDIX A TO SUBPART C—LIST OF ADDRESSES

AUTHORITY: 5 U.S.C. 301; Title II, Subtitle H, Pub. L. 103–354, 108 Stat. 3228 (7 U.S.C. 6991 *et seq.*); Reorganization Plan No. 2 of 1953 (5 U.S.C. App.).

SOURCE: 64 FR 33373, June 23, 1999, unless otherwise noted.

Subpart A—National Appeals Division Rules of Procedures

§11.1 Definitions.

For purposes of this part:

Adverse decision means an administrative decision made by an officer, employee, or committee of an agency that is adverse to a participant. The term includes a denial of equitable relief by an agency or the failure of an agency to issue a decision or otherwise act on the request or right of the participant within timeframes specified by agency program statutes or regulations or within a reasonable time if timeframes are not specified in such statutes or regulations. The term does not include a decision over which the Board of Contract Appeals has jurisdiction.

Agency means:

- (1) The Commodity Credit Corporation (CCC);
- (2) The Farm Service Agency (FSA);
- (3) The Federal Crop Insurance Corporation (FCIC);
- (4) The Natural Resources Conservation Service (NRCS);
- (5) The Risk Management Agency (RMA);
- (6) The Rural Business-Cooperative Service (RBS);
- (7) Rural Development (RD);
- (8) The Rural Housing Service (RHS);
- (9) The Rural Utilities Service (RUS) (but not for programs authorized by the Rural Electrification Act of 1936 or the Rural Telephone Bank Act, 7 U.S.C. 901 *et seq.*);
- (10) A State, county, or area committee established under section 8(b)(5)